REMARKS

Claims 1-11 are pending in the application. Favorable consideration is requested.

As stated in claim 1, the claimed dose structure is present **before any compression molding** – which is critical to the claimed invention for the maximization of barrier properties and to ensure that the functional barrier layer is not present on the surface of the resulting object. The claimed dose structure, with all of its features and requirements, is not disclosed or suggested by the prior art.

Once again, claims 1-11 stand rejected as allegedly being obvious over Kawaguchi (USP 5403529) in view of Akiyama (US Publish Patent Application No. 2002/0182351). Once again, applicant traverses the rejection for at least the following reasons.

Claim 1, from which all other claims depend, reads as follows:

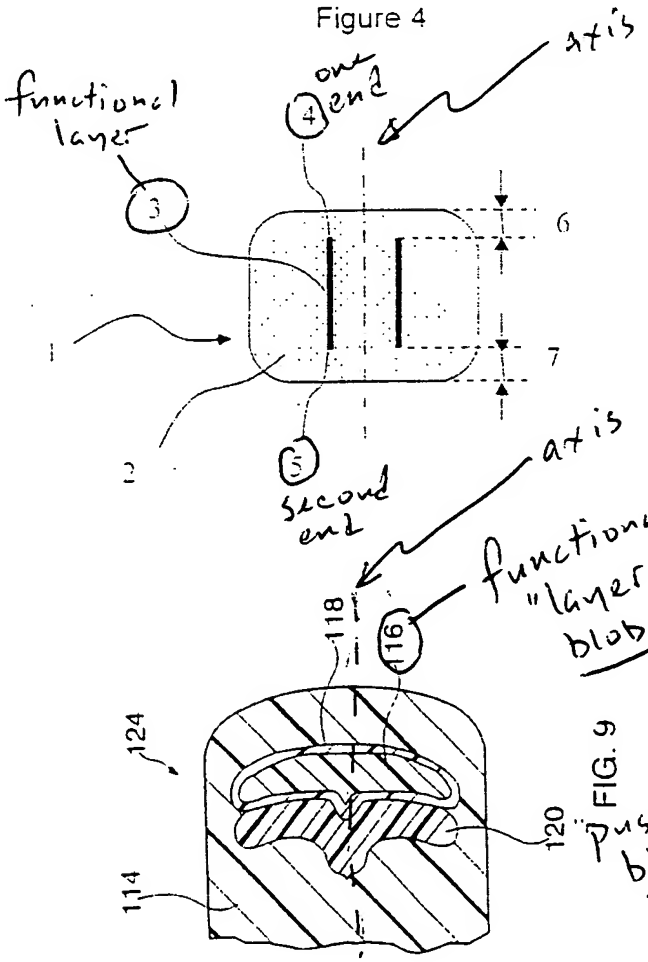
> 1. (previously presented) A dose of multilayer synthetic resin for the realization of multilayer objects by compression molding,
>
> said dose having an axis of symmetry and, before any compression molding, comprising a first synthetic resin (2) and at least one thin functional layer of a different synthetic resin (3) forming the outer shell of a body of revolution defined about said axis of symmetry, said body of revolution comprising two ends (4, 5) disposed in a direction parallel to the axis of symmetry, said functional layer being totally imprisoned in said first synthetic resin, and wherein the ends (4, 5) are at a distance of at least 50 microns from the surface of the dose.

To assist the Examiner's review, we have inserted into our claim 1 above the parenthetical reference numbers that correspond to our Figure 4. The use of these numbers and

reference to Figure 4 clearly demonstrate that our claimed invention is not disclosed or rendered obvious by any proper combination of the two cited prior art references.

To better analyze the obviousness rejection that does not provide any prima facie case of obviousness, it is important to view the particular figure from our application and compare it to the two figures from the two cited prior art references that the Examiner relies upon in the Office Action. Below is our Figure 4 (which is a dose prior to any compression molding), Kawaguchi's Figure 9 (which is the dose disclosed in Kawaguchi), and Figure 11 of Akiyama (which is a parison and is not a dose, and is not utilized in any subsequent compression molding).

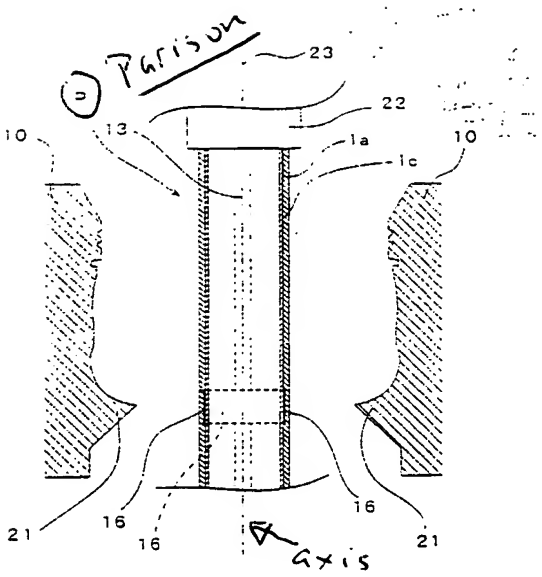
Figure 4



Applicant's Figure 4

Kawaguchi's Figure 9

Fig. 11



Akiyama's Figure 11

As shown in our Figure 4 above and claim 1, applicant's claimed invention comprises:

- a first synthetic resin 2,
- a thin functional layer of a different synthetic resin 3 that forms the outer shell of a body of revolution defined about the axis of symmetry of the dose,
- the body of revolution comprises two ends (4, 5) disposed in a direction parallel to the axis of symmetry,
- the functional layer 3 is totally imprisoned in the first synthetic resin 2, and
- the ends 4,5 are at a distance of at least 50 microns from the surface of the dose.

In complete contrast to the claimed invention, Kawaguchi -- which is the primary reference -- lacks the following claimed features of our invention:

1. Kawaguchi's dose has no functional layer 3 forming the outer shell of a body of revolution defined about the axis of symmetry; indeed, Kawaguchi's functional

inner synthetic resin 116 cuts directly through the axis of symmetry, it is not a body of revolution, instead -- it is a blob of resin.

2. Kawaguchi's inner synthetic resin 116 does not have the claimed "two ends" 4, 5 of our functional layer forming an outer shell of a body of revolution defined about an axis of symmetry having two ends 4, 5.
3. Kawaguchi does not have the subject two ends 4, 5 disposed in a direction parallel to the axis of symmetry.
4. Kawaguchi does not have the subject two ends 4, 5 (that are in a direction parallel to the axis of symmetry) at a distance of at least 50 microns from the surface of the dose.

As shown above and by the wording above, Kawaguchi's dose in Figure 9 is completely different than the applicant's dose claimed in claim 1 and shown in Figure 4 above.

Akiyama does not overcome the numerous deficiencies of Kawaguchi. Indeed, Akiyama can not be combined in any fashion with Kawaguchi – even with improper hindsight. If Akiyama was somehow combined with Kawaguchi, it would completely defeat the purpose of Kawaguchi. Kawaguchi's invention is the use of the forced synthetic resin blob 120 that "pushes" the intermediate synthetic resin 118 that encompasses the blob of inner synthetic resin material 116. Again, this Kawaguchi dose is completely different than the dose of the applicant in Figure 4 and claim 1, and Kawaguchi's "pushing" dose configuration would not be modified by anybody of ordinary skill in the art by looking at Akiyama's parison in Figure 11 and then somehow arriving at the applicant's Figure 4 dose. Again, it must be stressed that Akiyama's Figure 11 is a parison that is not a dose. Moreover, the parison in Figure 11 is used in blow molding -- not compression molding.

Furthermore, Akiyama does not disclose or suggest the following features in claim 1 of the applicant.

1. Figure 11 of Akiyama discloses a parison, not a dose.
2. Akiyama's parison has no functional layer that is "totally imprisoned" by a first synthetic resin. Indeed, in Figure 11 of Akiyama, all of the layers extend completely from one end to the other and, therefore, are not "totally imprisoned" by anything.
3. Akiyama does not have two ends that are at a distance of at least 50 microns from the surface of the dose, the parison, or anything. Indeed, Akiyama's "ends" are at the surface of its parison; thus, they are not at "a distance of at least 50 microns from the surface" of anything.
4. There is simply no way to combine the "pushing" dose invention of Kawaguchi as shown in Figure 9 with the parison of Akiyama shown in Figure 11 without completely defeating Kawaguchi's "pushing" invention that concerns a dose for compression molding compared to the Akiyama parison that is used in blow molding. Any position that asserts otherwise is clear speculation and runs completely contrary to the express teachings of Kawaguchi and Akiyama. This is not only improper hindsight but an improper deconstruction and destruction of the two cited prior art references.

For at least the foregoing reasons, there is no prima facie case of obviousness. As a result, the rejection should be withdrawn and the application should proceed to allowance.

If the Examiner has any questions, the undersigned may be contacted at 703-786-7421.

Respectfully submitted,

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